



King County
Proposed Ordinance No. 2005-0099.1

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Introduced: 3/7/2005

**Sponsors: Constantine, Pelz, Patterson,
Edmonds and Phillips**

Status: In Committee

Version: 1

1 ..Drafter
2 Clerk 03/02/2005
3 ..title
4 AN ORDINANCE relating to land uses; amending Ordinance 10870, Section 332, as amended, and
5 K.C.C. 21A.08.050, and Ordinance 10870, Section 351, as amended, and K.C.C. 21A.12.140, Ordinance
6 15032, Section 18, and K.C.C. 21A.14.025; Ordinance 10870, Section 562, and K.C.C. 21A.34.030 and
7 Ordinance 14190, Section 7, as amended, and K.C.C. 21A.37.050 and repealing Ordinance 12823,
8 Section 17, and K.C.C. 21A.38.220 and Ordinance 12823, Section 18, and K.C.C. 21A.38.230.
9 ..body
10 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:
11 SECTION 1. Ordinance 10870, Section 332, as amended, and K.C.C. 21A.08.050 are each
12 hereby amended to read as follows:
13 General services land uses.
14 A. General services land uses.
15 KEY
RESOURCE
RESIDENTIAL
COMMERCIAL/INDUSTRIAL
P-Permitted Use
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C-Conditional Use

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S-Special Use

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SIC#

SPECIFIC LAND USE

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RA

UR

R1-8

R12-48

NB

CB

RB
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I

23 PERSONAL SERVICES:

72
General Personal Service

C25
C25
P

24
P
P
P3
P3

7216
Drycleaning Plants

P
7218
Industrial Launderers

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P
7261
Funeral Home/Crematory

C4
C4
C4

P
P

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Cemetery,

26 Columbarium or Mausoleum

P24 C5, 31
P24 C5
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27 C5
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28 C5
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P24 C5
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Day Care I
P6

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P
P7
P7
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Day

29 Care II

P8 C

P8 C

P8 C

P8 C

P

P

P

P7

P7

074

Veterinary Clinic

P9

P9 C10,

30 31

P9 C10

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753

Automotive Repair (1)

P11

P

P

P

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31 54

Automotive Service

P11

P	
P	
P	
76	
Miscellaneous Repair	
C33	
P32	
32	C33
P32	
P32	
P32	
P32	
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P	
866	
Church, Synagogue, Temple	
P12 C((28))	
33	27, 31
P12 C	
P12 C	
P12 C	
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83	
Social Services (2)	
P12 C13, 31	
P12 C13	
P	
34	12 C13
P12 C13	
P13	
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Stable	
P14 C	

P14 C31
P14 C
P 14 C

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35 ennel or Cattery
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Theatrical Production Services

36 P30
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Artist Studios

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Interim Recycling

37 Facility

((P21))

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P((21))

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P((21))

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P((21))

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Dog training facility

C34

C34

C34

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HEALTH

43 SERVICES:

801-04

Office/Outpatient Clinic

P12

44 C13

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45 C13

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46 C13

P12

47 C13

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805

Nursing and Personal Care Facilities

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48 ospital

C13

C13

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P

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807

Medical/Dental Lab

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P
P
P
8

49 08-09
Miscellaneous Health

P
P
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EDUCATION SERVICES:

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*
Elementary School

P16 15, 31
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P

P16c
P16c
P16c

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Middle/Junior

51 High School

P16 C15, 31

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P

P16c

P16c

P16c

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Secondary or High School

52

P16 C15, ((27))26, 31

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P((28))

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P((28))

54 26

P16c C

P16c C

P16c

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Vocational School

P13 C31

P13 C

P13 C

P13 C

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P

55 17

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Specialized Instruction School

P18

P19 C20, 31

P19 C20

P19 C20

P19 C20

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School District Support Facility

C23, 31 P16, C15
P23 C
P23 C
P23 C
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GENERAL CROSS REFERENCES:

Land Use Table Instructions, see K.C.C. 21A.08.020 and

58 21A.02.070;

59 Development Standards, see K.C.C. chapters 21A.12 through 21A.30;

60 General Provisions, see K.C.C. chapters 21A.32 through 21A.38;

61 Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44;

62 (*)Definition of this specific Land Use, see K.C.C. chapter 21A.06.

B. Development condition.

63 1. Except SIC Industry No. 7534-Tire Retreading, see manufacturing permitted use table.

64 2. Except SIC Industry Group Nos.:

65 a. 835-Day Care Services, and

66 b. 836-Residential Care, which is otherwise provided for on the residential permitted land

67 use table.

68 3. Limited to SIC Industry Group and Industry Nos.:

69 a. 723-Beauty Shops;

70 b. 724-Barber Shops;

71 c. 725-Shoe Repair Shops and Shoeshine Parlors;

72 d. 7212-Garment Pressing and Agents for Laundries and Drycleaners; and

73 e. 217-Carpet and Upholstery Cleaning.

74 4. Only as an accessory to a cemetery, and prohibited from the UR zone only if the
75 property is located within a designated unincorporated Rural Town.

76 5. Structures shall maintain a minimum distance of one hundred feet from property lines
77 adjoining residential zones.

78 6. Only as an accessory to residential use, and:

79 a. Outdoor play areas shall be completely enclosed by a solid wall or fence, with no
80 openings except for gates, and have a minimum height of six feet; and

81 b. Outdoor play equipment shall maintain a minimum distance of twenty feet from
82 property lines adjoining residential zones.

83 7. Permitted as an accessory use. See commercial/industrial accessory, K.C.C.
84 21A.08.060.A.

85 8. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32, or an
86 accessory use to a school, church, park, sport club or public housing administered by a public
87 agency, and:

88 a. Outdoor play areas shall be completely enclosed by a solid wall or fence, with no
89 openings except for gates and have a minimum height of six feet;

90 b. Outdoor play equipment shall maintain a minimum distance of twenty feet from
91 property lines adjoining residential zones;

92 c. Direct access to a developed arterial street shall be required in any residential zone;
93 and

94 d. Hours of operation may be restricted to assure compatibility with surrounding
95 development.

96 9.a. As a home occupation only, but the square footage limitations in K.C.C. chapter
97 21A.30 for home occupations apply only to the office space for the veterinary clinic, office space for
98 the kennel or office space for the cattery, and:

99 (1) Boarding or overnight stay of animals is allowed only on sites of five acres or more;

100 (2) No burning of refuse or dead animals is allowed;

101 (3) The portion of the building or structure in which animals are kept or treated shall be

102 soundproofed. All run areas, excluding confinement areas for livestock, shall be surrounded by an
103 eight-foot-high solid wall and the floor area shall be surfaced with concrete or other impervious
104 material; and

105 (4) The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

106 b. The following additional provisions apply to kennels or catteries in the A zone:

107 (1) Impervious surface for the kennel or cattery shall not exceed twelve thousand
108 square feet;

109 (2) Obedience training classes are not allowed except as provided in subsection B.34.
110 of this section; and

111 (3) Any buildings or structures used for housing animals and any outdoor runs shall
112 be set back one hundred and fifty feet from property lines((,)).

113 10.a. No burning of refuse or dead animals is allowed;

114 b. The portion of the building or structure in which animals are kept or treated shall be
115 soundproofed. All run areas, excluding confinement areas for livestock, shall be surrounded by an
116 eight-foot-high solid wall and the floor area shall be surfaced with concrete or other impervious
117 material; and

118 c. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

119 11. The repair work or service shall only be performed in an enclosed building, and no
120 outdoor storage of materials. SIC Industry No. 7532-Top, Body, and Upholstery Repair Shops and
121 Paint Shops is not allowed.

122 12. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.

123 13. Only as a reuse of a surplus non residential facility subject to K.C.C. chapter 21A.32.

124 14. Covered riding arenas are subject to K.C.C. 21A.30.030 and shall not exceed twenty
125 thousand square feet, but stabling areas, whether attached or detached, shall not be counted in this
126 calculation.

127 15. Limited to projects which do not require or result in an expansion of sewer service
128 outside the urban growth area, unless a finding is made that no cost-effective alternative
129 technologies are feasible, in which case a tightline sewer sized only to meet the needs of the public
130 school, as defined in RCW 28A.150.010, or the school facility and serving only the public school or

131 the school facility may be used. New public high schools shall be permitted subject to the review
132 process set forth in K.C.C. 21A.42.140.

133 16.a. For middle or junior high schools and secondary or high schools or school facilities,
134 only as a reuse of a public school facility or school facility subject to K.C.C. chapter 21A.32. An
135 expansion of such a school or a school facility shall be subject to approval of a conditional use permit
136 and the expansion shall not require or result in an extension of sewer service outside the urban
137 growth area, unless a finding is made that no cost-effective alternative technologies are feasible, in
138 which case a tightline sewer sized only to meet the needs of the public school, as defined in RCW
139 28A.150.010, or the school facility may be used.

140 b. Renovation, expansion, modernization or reconstruction of a school, a school facility,
141 or the addition of relocatable facilities, is permitted but shall not require or result in an expansion of
142 sewer service outside the urban growth area, unless a finding is made that no cost-effective
143 alternative technologies are feasible, in which case a tightline sewer sized only to meet the needs of
144 the public school, as defined in RCW 28A.150.010, or the school facility may be used.

145 c. In CB, RB and O, for K-12 schools with no more than one hundred students.

146 17. All instruction must be within an enclosed structure.

147 18. Limited to resource management education programs.

148 19. Only as an accessory to residential use, and:

149 a. Students shall be limited to twelve per one-hour session;

150 b. All instruction must be within an enclosed structure; and

151 c. Structures used for the school shall maintain a distance of twenty-five feet from

152 property lines adjoining residential zones.

153 20. Subject to the following:

154 a. Structures used for the school and accessory uses shall maintain a minimum distance
155 of twenty-five feet from property lines adjoining residential zones;

156 b. On lots over two and one-half acres:

157 (1) Retail sale of items related to the instructional courses is permitted, if total floor area
158 for retail sales is limited to two thousand square feet;

159 (2) Sale of food prepared in the instructional courses is permitted with Seattle-King
160 County department of public health((-Seattle and King County)) approval, if total floor area for food
161 sales is limited to one thousand square feet and is located in the same structure as the school; and

162 (3) Other incidental student-supporting uses are allowed, if such uses are found to be
163 both compatible with and incidental to the principal use; and

164 c. On sites over ten acres, located in a designated Rural Town and zoned any one or
165 more of UR, R-1 and R-4:

166 (1) Retail sale of items related to the instructional courses is permitted, provided total
167 floor area for retail sales is limited to two thousand square feet;

168 (2) Sale of food prepared in the instructional courses is permitted with Seattle-King
169 County department of public health((-Seattle and King County)) approval, if total floor area for food
170 sales is limited to one thousand seven hundred fifty square feet and is located in the same structure
171 as the school;

172 (3) Other incidental student-supporting uses are allowed, if the uses are found to be
173 functionally related, subordinate, compatible with and incidental to the principal use;

174 (4) The use shall be integrated with allowable agricultural uses on the site;

175 (5) Advertised special events shall comply with the temporary use requirements of this
176 chapter; and

177 (6) Existing structures that are damaged or destroyed by fire or natural event, if
178 damaged by more than fifty percent of their prior value, may reconstruct and expand an additional
179 sixty-five percent of the original floor area but need not be approved as a conditional use if their use
180 otherwise complies with development condition B.20.c. of this section and this title.

181 21. Limited to drop box facilities accessory to a public or community use such as a
182 school, fire station or community center.

183 22. With the exception of drop box facilities for the collection and temporary storage of
184 recyclable materials, all processing and storage of material shall be within enclosed buildings. Yard
185 waste processing is not permitted.

186 23. Only if adjacent to an existing or proposed school.

187 24. Limited to columbariums accessory to a church, but required landscaping and parking

188 shall not be reduced.

189 25. Not permitted in R-1 and limited to a maximum of five thousand square feet per
190 establishment and subject to the additional requirements in K.C.C. 21A.12.230.

191 26.a. New high schools shall be permitted in the rural and the urban residential and urban
192 reserve zones subject to the review process in K.C.C. 21A.42.140.

193 b. Renovation, expansion, modernization, or reconstruction of a school, or the addition
194 of relocatable facilities, is permitted.

195 27. Limited to projects that do not require or result in an expansion of sewer service
196 outside the urban growth area. In addition, such use shall not be permitted in the RA-20 zone.

197 28. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32 or
198 as a joint use of an existing public school facility.

199 29. All studio use must be within an enclosed structure.

200 30. Adult use facilities shall be prohibited within six hundred sixty feet of any residential
201 zones, any other adult use facility, school, licensed daycare centers, parks, community centers, public
202 libraries or churches that conduct religious or educational classes for minors.

203 31. Subject to review and approval of conditions to comply with trail corridor provisions
204 of K.C.C. chapter 21A.14 when located in an RA zone and in an equestrian community designated by
205 the Comprehensive Plan.

206 32. Limited to repair of sports and recreation equipment:

207 a. as an accessory to a large active recreation and multiuse park in the urban growth
208 area; or

209 b. as an accessory to a park, or a large active recreation and multiuse park in the RA
210 zones, and limited to a total floor area of seven hundred fifty square feet.

211 33. Accessory to agricultural or forestry uses provided:

212 a. the repair of tools and machinery is limited to those necessary for the operation of a
213 farm or forest.

214 b. the lot is at least five acres.

215 c. the size of the total repair use is limited to one percent of the lot size up to a maximum

216 of five thousand square feet unless located in a farm structure, including but not limited to barns,
217 existing as of December 31, 2003.

218 34. Subject to the following:

219 a. the lot is at least five acres.

220 b. in the A zones, area used for dog training shall be located on portions of agricultural
221 lands that are unsuitable for other agricultural purposes, such as areas within the already developed
222 portion of such agricultural lands that are not available for direct agricultural production or areas
223 without prime agricultural soils.

224 c. structures and areas used for dog training shall maintain a minimum distance of
225 seventy-five feet from property lines.

226 d. all training activities shall be conducted within fenced areas or in indoor facilities.

227 Fences must be sufficient to contain the dogs.

228 SECTION 2. Ordinance 10870, Section 351, as amended, and K.C.C. 21A.12.140 are each
229 hereby amended to read as follows:

230 Setbacks - from regional utility corridors.

231 A. Except as otherwise provided in subsection B of this section ((I))in subdivisions and
232 short subdivisions, areas used as regional utility corridors shall be contained in separate tracts.

233 B. For a subdivision or short subdivision:

234 1. Upon mutual agreement of the utility and applicant for the subdivision or short
235 subdivision submitted at the time of application for the preliminary plat, the area of the regional utility
236 corridor placed in a separate tract may be less than the entire utility right-of-way or easement. The
237 agreement may be evidenced by correspondence between the utility and the applicant;

238 2. If the utility and applicant enter into an agreement under subsection B.1 of this
239 section:

240 a. The location of the easement or right-of-way shall be shown on the face of the plat;

241 b. The applicant shall record on the title of all lots that extend into the right-of-way or
242 easement a notice approved by the department that there is an easement or right-of-way for a regional
243 utility corridor that may subject use of that area of the property to conditions established by the
244 utility; and

245 c. The department shall include as conditions of plat approval the conditions on use of
246 the area within the regional utility corridor included in the agreement between the utility and the
247 applicant.

248 C. In ((other types of)) land development permits other than subdivisions or short
249 subdivisions, easements shall be used to delineate regional utility corridors.

250 ((C.)) D. All structures shall maintain a minimum distance of five feet from property or
251 easement lines delineating the boundary of regional utility corridors, except for utility structures
252 necessary to the operation of the regional utility corridor.

253 ((D.)) E. Any structure designed for human occupancy, except for utility structures not
254 normally occupied that are necessary for the operation of the pipeline or a minor communication
255 facility, shall maintain a minimum distance of one hundred feet from a hazard liquid or gas
256 transmission pipeline located within a regional utility corridor. The setback distance may be modified
257 if the applicant demonstrates the following:

- 258 1. A one-hundred-foot setback would deny all reasonable use of the property; or
- 259 2. That the structure would be protected from radiant heat of an explosion by berming or
260 other physical barriers; or
- 261 3. That a one-hundred-foot setback would be impractical or unnecessary due to existing
262 geographic features, streets, lot lines, or easements; or
- 263 4. That no other practical alternative exists to meet the demand for service; and
- 264 5. That the applicant will construct a hazardous liquid or gas transmission containment
265 system or other mitigating actions if the county finds that leakage could accumulate within one
266 hundred feet of the pipeline. Any containment system or other mitigating actions required by this
267 section shall meet all applicable federal, state and local regulations.

268 SECTION 3. Ordinance 15032, Section 18 and K.C.C. 21A.14.025 are each hereby amended
269 to read as follows:

270 Cottage housing development. For cottage housing developments in the R4-R8 zones:

271 A. The total area of the common open space must be at least two hundred and fifty square
272 feet per unit and at least fifty percent of the units must be clustered around the common space.

273 B. The total floor area of each unit, including any enclosed parking, is limited to one
274 thousand two hundred square feet. The footprint of each unit, including any enclosed parking, is
275 limited to nine hundred square feet. A front or wraparound porch of up to one hundred square feet is
276 permitted and is not to be included in the floor area or footprint calculation.

277 C. Fences within the cottage housing unit development are limited to three feet in height.
278 Fences along the perimeter of the cottage housing development are limited to six feet.

279 D. Individual cottage housing units must be at least ten feet apart.

280 SECTION 4. Ordinance 10870, Section 562 and K.C.C. 21A.34.030 are each hereby amended
281 to read as follows:

282 Maximum densities permitted through residential density incentive (RDI) review. The
283 maximum density permitted through residential density incentive("RDI") review shall be ((150)) one
284 hundred fifty percent of the base density of the underlying zone of the development site or ((200))
285 two hundred percent of the base density for cottage housing proposals or RDI proposals with ((100))
286 one hundred percent affordable units.

287 SECTION 5. Ordinance 14190, Section 7, as amended, and K.C.C. 21A.37.050 are each
288 hereby amended to read as follows:

289 Transfer of development rights (TDR) program - development limitations.

290 A. Following the transfer of residential development rights a sending site may
291 subsequently accommodate remaining residential dwelling units, if any, on the buildable portion of
292 the parcel or parcels or be subdivided, consistent with the zoned base density provisions of the
293 density and dimensions tables in K.C.C. 21A.12.030 and 21A.12.040, the allowable dwelling unit
294 calculations in K.C.C. 21A.12.070 and other King County development regulations. For sending sites
295 zoned RA, the subdivision potential remaining after a density transfer may only be actualized through
296 a clustered subdivision, short subdivision or binding site plan that creates a permanent preservation
297 tract as large or larger than the portion of the subdivision set aside as lots. Within rural forest focus
298 areas, resource use tracts shall be at least fifteen acres of contiguous forest land.

299 B. ((Residential and nonresidential uses on lots zoned R-1, RA, A and F shall be limited to
300 a maximum of ten percent impacting impervious surface.

301 C.)) Only those nonresidential uses directly related to, and supportive of the criteria under

302 which the site qualified are allowed on a sending site.

303 ((D))C. The applicable limitations in this section shall be included in the sending site

304 conservation easement.

305 SECTION 6. Ordinance 12823, Section 17 and K.C.C. 21A.38.220 are each hereby repealed.

306 SECTION 7. Ordinance 12823, Section 18, and K.C.C. 21A.38.230 are each hereby repealed.

307 ..ad requirements

308 area paper 30 days prior